Evidence		9	Special Master's Proposed	Special Master's Proposed Construction of Disputed Terms	erms		
	Actual Claims Language		Crossroads' Evidence	Defendants' Proposed Construction		Special Master's Construction	
(storage router "113-30 (storage router" 113-30 oconsect from devices connected to the first transport medium to storage devices using native low level, both protocols" (emphasis adadd); its storage router, specifically, its supervision unit withly, the supervision unit with "1.12" 15, 70-24, 27, Col. 3, 11.2-31; Col. 10, 11, 2-31; Col. 10, 11, 2-31; Col. 10, 11, 2-31; (specification discloses that NULLBPs are used by, and at, the storage router to allow accesses, Col. 6, 11, 33-41, 46-56 (specification discloses two embediments wheren' devices' making the storage access request are servers servers servers control of the storage making the storage access request are servers servers control of the storage access request are servers							
access from devices connected to the first transport medium to the storage of wheels block mative low wheels block protocols" (emphasis protocols" (emphasis protocols" (emphasis protocols" (emphasis transport medium to the storage router, specifically, the storage router, specifically, the storage router, specifically, the will. The bound of the NILIB to permit or habba access). Abstract, Co. 2, In. 12- 15, 17-20, 24-27, Co. 1, 3, 11. 51. 25, Col. 4, II, 2-6, Co. 1, 5, 11. 51. 25, Col. 4, II, 2-6, Co. 1, 5, 11. 52. 25, Col. 4, II, 2-6, Co. 1, 5, 11. 53. 25, Col. 4, II, 2-6, Co. 1, 5, 11. 54. 25, Col. 4, II, 2-6, Co. 1, 5, 11. 54. 25, Col. 6, II, 33-41, 46-56 (specification describes two embodiments wherein describes two embodiments wherein describes two embodiments wherein describes request are servors.) April 6, 2005 Reply to Office Action at 10-11,							<u> </u>
access from devices connected to the first transport medium to the stronge devices using mative tow levels blook protocols* (emphasis added), the storage devices using mative tow levels blook experienced to the storage rounts, specifically, the supervisor unit within the storage rounts, specifically, the supervisor unit within the storage rounts, specifically, the supervisor unit within the storage rounts, vibro. Abstract. Col. 2, 11. 12. Abstract. Col. 2, 11. 12. Abstract. Col. 3, 11. 28. 31; Col. 10, 10. 9. 11. 28. 31; Col. 6, 11. 24. 24. 24. 25. Col. 6, 11. 24. 24. 25. Aptil 6, 2005 Reply to Office Action at 10. 11,			•				
transport medium to the first transport medium to the storage devices using marke low level, block protocols' emphasis added); the storage counter, specifically, the supervisor unit within the storage router, "uses" the NLLBP to permit or enable access). Abstract, Col. 2, II. 12. Abstract, Col. 2, II. 12. I. 5, 17-20, 2-27; Col. 3, II. 51. 53; Col. 4, II. 2-6; Col. 5, II. 12. 53; Col. 4, II. 2-6; Col. 5, II. 12. 53; Col. 4, II. 2-6; Col. 5, II. 12. Col. 6, II. 9-11. Col. 6, II. 34-1, 46-56 (specification disculses the storage or th			access from devices				_
rarisport modifium to the stransport modifium to the protorage devices using native low level, block protocols' (emphasis addee), the storage router, specifically, the supervisor unit within the supervisor unit within the supervisor unit within the SLP 20, 24-27; Col. 3. II. 2-2. II. 12-2. II. 12-2. II. 12-2. II. 12-2. II. 12-2. II. 12-2. II. 2-6; Col. 3. II. 2-1. II. 2-6; Col. 3. II. 2-1. II. 2-6; Col. 3. II. 2-1. II. 2-6; Col. 3. II. 2-6; Col. 4. II. 2-6; Col. 5. II. 3-1. II. 3-6; Col. 5. II. 3-1. II. 3-1. II. 3-6; Col. 5. II. 3-1. II. 3			connected to the first				
storage devices using native block protocols" (emphasis added); the storage votater, "specifically, the supervisor unit within the storage votater, "uses" the NLLBP to permit or crabble access). Abstract; Col. 2, II. 12. 11, 720, 24.27, Col. 3, 11, 59.63; Col. 4, II. 28-31; Col. 10, II. 9-11 (specification discloses that NLLBP sare used by, and at, the storage router to allow access). Col. 6, II. 33-41, 46-56 (specification describes wherein "devices" making the storage servers). April 6, 2005 Reply to Office Action at 10-11,			transport medium to the				بات
protocols" (emphasis added), the storage router, specifically, the storage router, specifically, the storage router, "uses" the M.L.BP to permit or enable access). Abstract, Col. 2, II, 12. I.S. 17-20, 24-27; Col. 3, II, 151-151. Si. Scol. 4, II, 2-6; Col. 5, II, 1-5; Col. 9, II, 2-6; Col. 5, II, 1-5; Col. 9, II, 2-8; 11, 151-151. Col. 10, II, 2-II, 11, 11, 11, 11, 11, 11, 11, 11, 11,			storage devices using				
protocole* (emphasis addot); the storage router, specifically, the supervisor unit within the storage router, "uses" the NLLBP to permit or enable access). Abstract, Col. 2, 11.12- 15. 17-20, 24-77; Col. 3, 11. 59-63; Col. 3, 11. 51- 51. 10. 11. 15. (Ol. 4, 11. 26-5; Col. 5, 11. 1-5; Col. 9, 11. 28-31; Col. 10, 11. 9-1; (specification discloses that NLLBPs are used by, and at, the storage router to allow access). Col. 6, 11. 33-41, 46-56 (specification describes two embodiments wherein "devices" making the storage access request are servers). April 6, 2005 Reply to Office Action at 10-11,			native low level, block				
added); the storage router, specifically, the supervisor unit within the storage router, "uses" the MLLBP to permit or enable access. Abstract; Col. 2, Il. 12. 11, 7-20, 24-27; Col. 3, 11, 5-20, 4, Il. 28-31; Col. 10, Il. 9-11 (specification discloses that NLLBPs are used by, and at, the storage router to allow access). Col. 6, Il. 33-41, 46-56 (specification describes wore embodiments wherein "devices" making the storage access request are servers). April 6, 2005 Reply to Office Action at 10-11,			protocols" (emphasis				
supervisor unit whithin the storage router, "uses" the NLLBP to permit or enable access). Abstract Col. 2, Il. 12- 15, 17-20, 24-27, Col. 3, 11, 59-63, Col. 3, Il. 51- 53; Col. 4, Il. 2-6; Col. 5, 11, 1-5; Col. 9, Il. 28-31; Col. 10, Il. 9-11 (Specification discloses that NLLBP are used by, and at, the storage router to allow access) Col. 6, Il. 33-41, 46-56 (specification describes two embodiments wherein "devices" making the storage access request are servers). April 6, 2005 Reply to Office Action at 10-11,			added): the storage				نعر
supervisor unit within the storage router, "uses" the NLLBP to permit or enable access). Abstract. Col. 2, Il. 12- 15, 17-20, 24-27; Col. 3, 11, 59-63; Col. 3, Il. 28-31; 53; Col. 4, Il. 28-63; Col. 10, Il. 9-11 Col. 10, Il. 9-11 Col. 10, Il. 9-11 Col. 6, Il. 33-41, 46-56 Specification describes two embodiments wherein "devices" making the storage access request are servers). April 6, 2005 Reply to Office Action at 10-11,			router specifically the				
the storage router, "uses" the NLAP to permit or enable access). Abstract; Col. 2, II. 12- 15, 17-20, 24-27; Col. 3, 11, 59-63; Col. 3, II. 51- 53, Col. 4, II. 2-6; Col. 5, 11. 1-5; Col. 9, II. 28-31; Col. 10, II. 9-11 (specification discloses that NLABP are used by, and at, the storage router to allow access). Col. 6, II. 33-41, 46-56 (specification describes two embodiments wherein "devices" making the storage access request are servers). April 6, 2005 Reply to Office Action at 10-11,			supervisor unit within				
the NLLBP to permit or enable access). Abstract, Col. 2, 1l. 12- 1. 51-720, 24-27; Col. 3, 1l. 51- 53, Col. 3, 1l. 26; Col. 5, 1l. 1-6; Col. 9, 1l. 26; Col. 6, 1l. 1-6; Col. 9, 1l. 26; Col. 9, 1l. 26; Col. 9, 1l. 26; Col. 9, 1l. 26; Col. 9, 1l. 34] Cspecification discloses that NLLBPs are used by, and at, the storage router to allow access). Col. 6, 1l. 33-41, 46-56 (specification describes two embodiments wherein "devices" making the storage access request are servers). April 6, 2005 Reply to Office Action at 10-11,			the storage router "uses"				
			the MI I BP to nermit or				بلىب
			enable access)				, , , ,
			citable access).				
			15 17-20 24-27: Col 3				
			11 50-63 CAL 3 11 51-				_
			7, III. 71 -6. Col				
Col. 10, 11, 9.1.; Col. 10, 11, 9.1.; (specification discloses that NLLBPs are used by, and at, the storage router to allow access). Col. 6, 11, 33-41, 46-56 (specification describes two embodiments wherein "devices" making the storage access request are servers). April 6, 2005 Reply to Office Action at 10-11,			11 28-31				
(specification discloses that NLLBPs are used by, and at, the storage router to allow access). Col. 6, II. 33-41, 46-56 (specification describes two embodiments wherein "devices" making the storage access request are servers). April 6, 2005 Reply to Office Action at 10-11,			Col 10 11 9-11				
that NLLBPs are used by, and at, the storage router to allow access). Col. 6, II. 33-41, 46-56 (specification describes two embodiments wherein "devices" making the storage access request are servers). April 6, 2005 Reply to Office Action at 10-11,			(specification discloses				-
by, and at, the storage router to allow access). Col. 6, Il. 33-41, 46-56 (specification describes two embodiments wherein "devices" making the storage access request are servers). April 6, 2005 Reply to Office Action at 10-11,			that NI.I.BPs are used				
Col. 6, II. 33-41, 46-56 (specification describes two embodiments wherein "devices" making the storage access request are servers). April 6, 2005 Reply to Office Action at 10-11,			by, and at, the storage				
Col. 6, Il. 33-41, 46-56 (specification describes two embodiments wherein "devices" making the storage access request are servers). April 6, 2005 Reply to Office Action at 10-11,			router to allow access).				
Col. 6, Il. 33-41, 46-56 (specification describes two embodiments wherein "devices" making the storage access request are servers). April 6, 2005 Reply to Office Action at 10-11,							
(specification describes two embodiments wherein "devices" making the storage access request are servers). April 6, 2005 Reply to Office Action at 10-11,			Col. 6, Il. 33-41, 46-56				
two embodiments wherein "devices" making the storage access request are servers). April 6, 2005 Reply to Office Action at 10-11,			(specification describes				
wherein "devices" making the storage access request are servers). April 6, 2005 Reply to Office Action at 10-11,			two embodiments				9
making the storage access request are servers). April 6, 2005 Reply to Office Action at 10-11,			wherein "devices"				
access request are servers). April 6, 2005 Reply to Office Action at 10-11,			making the storage				J
April 6, 2005 Reply to Office Action at 10-11,			access request are				
April 6, 2005 Reply to Office Action at 10-11,			servers).				
April 6, 2005 Reply to Office Action at 10-11,							
Office Action at 10-11,			April 6, 2005 Reply to				
			Office Action at 10-11,				

Crossroads Evidence
Fore Decl. ISO
Crossroads' Post-Hr'g
Cl. Const. Br., Ex. E;
July 22, 2005 Reply to
Office Action at 24
Fore Decl. ISO
Crossroads' Post-Hr'g
Cl. Const. Br., Ex. F
(Crossroads
distinguished Petal,
Spring and Oeda as
having a server that
provided controlled
access to storage was
required to translate high
level file system
commands into low level
commands in order to
send the NLLBP to the
storage devices).
April 6, 2005 Reply to
Office Action at 8-11
19, 22-23, Fore Decl.
ISO Crossroads' Post-
Hr'g Cl. Const. Br., Ex.
Ψ,
to Office Action at 11
17, 21-28, Fore Decl.
ISO Crossroads' Post-
Hr'g Cl. Const. Br., Ex.
F (showing that
Crossroads did not make
a sweeping disclaimer of
any use of a "network
server"; Crossroads

	S	Cas	se 1:	10- c	:∨-0	06	52 -	SS	-	Do	cun	ier	nt 1	67	-1 (3	Fi	lec	d-0	<u>8/</u>	 0/	11	_ P	'a g	je (3- 0	f 2	0_		
	Special Master's Construction					-																								
[erms	Defendants' Evidence																													
roposed Construction of Disputed Terms	Defendants' Proposed Construction								-																			-		
Special Master's Proposed	Crossroads' Evidence	invention from Oeda, Petal and Spring based on the requirement that	the "network server"	access to storage was	high level file system	command into low level	commands in order to	storage device, not the	use of Ethernet	networks, Ethernet or	TCP/IP).	Col 2 II 17-20: Col 5	11. 19-22, 50-57, 60-63;	Col. 6, 11, 32-37; '147	Patent, Claim 1, Col. 9,	II. 28-32 (disclosing and	claiming embodiments	using Fibre Channel; the	inclusion of "without	mytocole" occording to	Defendants' expert	would prohibit the use of	Fibre Channel despite	the fact that these are	express embodiments).	11 62 11 67 11 67	Col. 3, II. 33-30 (Fibre	Chambel Is a protocol	over "Fibre Channel	based networks").
S	Crossroads' Proposed Construction									-																				
	Actual Claims Language																	·												

	9	Special Master's Proposed Construction of Disputed Terms	Construction of Disputed 1	[erms	
Actual Claims Language	Crossroads' Proposed Construction	Crossroads' Evidence	Defendants' Proposed Construction	Defendants' Evidence	Special Master's Construction
		Col. 1, II. 42-53; Col. 3, II. 16-24; Col. 5, II. 1-5			
		(specification notes that NLLBPs do not involve			
		overhead of high level network protocols or file			
		systems).			
		Col. 6, Il. 31-41, 46-56		:	
		(specification has two distinct embodiments in			
		which the "devices"			
		are servers).			
		Extrinsic:			
		March 7 2011 Supp			
		Decl. of John Levy,			
		Ph.D., ¶2; March 7, 2011 Decl. of Brian Berg ¶42			
		(experts agree that			
		of art).			
		March 8, 2011 (parties agree that "NLLBP"			
		should be construed as a			
		single term, consistent with use in specification)			
		March 7, 2011 Supp.			
		Decl. of John Levy,			
		Ph.D., ¶13 (Ethernet and			
		1 CF/1F protocols are	-		

	9 7	Special Master's Proposed Construction of Disputed Terms	Construction of Disputed	Ferms	
Actual Claims Language	Crossroads' Proposed Construction	Crossroads' Evidence	Defendants' Proposed Construction	Defendants' Evidence	Special Master's Construction
		concerned only with delivery of messages).			
		March 7, 2011 Decl. of Brian Berg ¶48 (a SCSI			
		low level command).			
		March 7, 2011 Decl. of Brian Berg. ¶37 (states			
		that "low level" means "without involving			
		file system protocols.").			
		April 28, 2011 2d Supp.			
		Ph.D., ¶4 (person of			
		ordinary skill would understand that the			
		specification discloses a server that sends			
		requests for storage			
		access to a storage router using NLLBP).			
		Hr'g Tr. 76:4-10, 82:20-			
		23, March 8, 2011 (in hypothetical network of			-
		Graphic 2 of Defendants'			
		Markman Demonstratives (Fore			
		Decl. ISO Pl's Post-Hr'g			-
		Cl. Const. Br., Ex. J) the			
		level file systems			-
		commands to network			
		server); Id. at 200:2-5,			

		Special Master's Proposed	Special Master's Proposed Construction of Disputed Terms	erms	
Actual Claims	Crossroads, Proposed	Crossroads,	Defendants' Proposed	Defendants'	Special Master's
Language	Construction	Evidence	Construction	Evidence	Construction
		201:22-24, 202:24-203:3			
		(Defendants expressly			
		stated that a "device" is a			
		"computer" that is both			
		"reading or writing data			
		and sending NLLBPs			
		and the only "device"			
		that does so in Graphic			
		2, shown in Crossroads'			
		Post-Hearing Brief is the			
		"network server").			
		Crossroads' Concise			
		Statement of			
		Infringement, Dot Hill			
		Litigation (Case No. A-			
		03-CV-754 SS), Fore			
		April 28, 2011 2d Supp.			
		Decl. of John Levy,			
		Ph.D., ¶5 (accused			
		devices in Dot Hill			
		litigation were designed			
		to be used in			
		hypothetical system			
		shown in Graphic 2 of			
		Defendants' Markman			
		Demonstratives (Fore			
		Decl. ISO Pl's Post-Hr'g			
		Cl. Const. Br., Ex. J)).			-
		March 8, 2011 (all			
		parties agree that the			
		Petal, Spring and Oeda			

	2	Special Master's Froposed Construction of Disputed Lerms	Course action of Cipharca		
Actual Claims	Crossroads' Proposed	Crossroads,	Defendants' Proposed	Defendants'	Special Master's
Language	Construction	Evidence	Construction	Evidence	Construction
		references disclose			
		systems with a "server"			
		interposed between			
		workstations and			
		storage devices); Id. at			
		88:2-89:16; 93:4-7;			- 1- ,
		100:16-24 (Defendants			
		agree that the			
		distinguished by			
		patentees during			
		reexamination was from			
		high level file system			
		commands into NLLBP			
		requests); Id. at 89:11-16			-
		(parties agree that			
		"allowing access			
		using NLLBP" occurs			
		without a translation			
		from a high level file			
		system command to a			
		NLLBP request); Id. at			
		91:14-16, 92:1-5, 152:4-			
		7 (Defendants concede			
		that the "network			
		protocols" described in			
		the Oeda, Petal and			
		Spring references			
		included file system			
		commands thus,			
		including "without			
		involving network			
		protocols" is superfluous			
		to "without involving a			
		translation from a high			
		level file system			
		command to a native low			

	s	Case	e 1:10-c	cv-00i	652-	SS_	_Do	cum	en	t 167	'-13	E	iled	08/1	0/11	P	age.	8.0	of 2	0		
	Special Master's Construction	·																				
	Specia Cons																					
																		_				
	Defendants' Evidence																					
ms																					÷	
Special Master's Proposed Construction of Disputed Terms	pa	<u>.</u>																				
of Dispu	, Propos uction	P																				
truction	Defendants' Proposed Construction																					
ed Cons	Def						-				* 1					•		•	<u>·</u>			
s Propos	ads' ice	tocol	April 28, 2011 2d Supp. Decl. of John Levy, Ph.D., ¶7 (CIFS, NFS	3LW OFK	March 7, 2011 Decl. of	(Defendants' expert uses	term "network protocol" broadly such that it	Fibre		2d Supp.	i.	construction, a protocol	used for communication over "Fibre Channel	s" would	out Decl		Ps do not ead	the use	protocols	ge); <i>Id.</i> ¶ on	ork	20014
Master'	Crossroads' Evidence	level block protocol request.")	April 28, 2011 2d Sup Decl. of John Levy, Ph.D., ¶7 (CIFS, NFS	and r i r are network protocols).	7, 2011	(Defendants' exp	term "network prote broadly such that it	would include Fibre	. (12)	April 28, 2011 2d : Decl. of John Levy	Ph.D., ¶6 (under	Defendants construction, a	used for communicat	based networks" would	Eebrijary 22 2011	in Levy,	31, 33 (NLLBPs do have the overhead	associated with the use	of higher level prot	to access storage); 34 (specification	describes network	Seitonian Commission
Special		level bloc request.")	April Decl. Ph.D.	protocols).	March	Defe	term ' broad	would inc)	April Decl.	Ph.D.	constr	used f	based	E E E E	of Joh	31, 33 have t	associ	of hig	to acc 34 (sp	descri	Corror
	roposed ion																					
	Crossroads' Proposed Construction																					
	Crossi																					
	ms																					
	Actual Claims Language																					
	Acti L																					

	Special Master's Construction		All Commences	No Construction Necessary.																										
Terms	Defendants' Evidence			See claim 1, supra.																										
s Proposed Construction of Disputed Terms	Defendants' Proposed Construction			Configuration:	"Map"; otherwise	indefinite.														-										
Special Master's Proposed	Crossroads' Evidence	with storage using NLLBPs).		Configuration:	Intrinsic:	7-1 7 11 10 73. 021 5	II. 53-54: Col. 6. II. 58-	64 (describing	"configuration" as	information used to	control operation of the	storage router and wnich is modifiable).		'147 Patent: Col. 2, 11.	28-32; Col. 9, 11. 36-41	("configuration" can also	include mapping	information and	additional information,	needed to "implement[]	access controls").	Claim 15 Col 11 11 23.	28 (the limitation	"operable to maintain a	configuration wherein	the configuration	includes a map	would be meaningless under Defendants'	proposed construction).	
S	Crossroads' Proposed Construction			Configuration:	"A modifiable setting of	information."										-														
	Actual Claims Language		Claim 15	The apparatus of claim 14. wherein the	supervisor unit is further	operable to maintain a	the configuration	includes the map	between the device and	the remote storage	device, and further	wherein the map includes virtual LUNs	that provide a	representation of the	storage device.															

		Special Master's Proposed Construction of Disputed Terms	Construction of Disputed	Terms	
Actual Claims Language	Crossroads' Proposed Construction	Crossroads' Evidence	Defendants' Proposed Construction	Defendants' Evidence	Special Master's Construction
		Extrinsic:			
		Chaparral Markman			
		Order at 16, Fore Decl.			
		ISO Crossroads' Cl.			
		Const. Br., Ex. L (parties			
		to earlier action agreed			
		to construe "maintain a			
		configuration" to mean		-	
		"keeping a modifiable			
		setting of information");			
		of John Town Db D #46			
		(nerson of ordinary skill			
		"maintaining a			
		configuration" to mean			
		"keeping a modifiable			
		set of information").			
The apparatus of claim	Device:	Device:	Device:	See '035 patent, claim 1.	No Construction
14, wherein the					Necessary.
supervisor unit is further	"Computing device that	Intrinsic:	Computer.		
operable to maintain a	issues storage access				
configuration wherein	requests."	Claim 1, Col. 9, II. 27-30			
the configuration		("devices" refers to the			
includes the map		devices that make			
between the device and		requests and are allowed			
the remote storage		access to storage			
device, and further		devices).			
wherein the map					
includes virtual LUNs		Col. 1, Il. 36-37; Col. 2,			
that provide a		II. 4-5; Col. 4, II. 55-56;			
representation of the		Col. 8, II. 65-68 (the			
storage device.		specification describes			
		the devices that make			
		requests to access the		6	
		storage devices as	-		

		(Cas	se.	1:1	0-	CV-	-00)65	<u>52</u> .	-SS	S _	_D	oc	ur	ne	nt	16	7-	13		Εij	lec	L0	8 /	10/	11	F	aç	je	11	of	20		
	Special Master's Construction																																		
erms	Defendants' Evidence																																		
Special Master's Proposed Construction of Disputed Terms	Defendants' Proposed Construction																	-									-								-
pecial Master's Proposed	Crossroads' Evidence	"computing devices").	Col 1 57-60 ("from	the perspective of a	workstation, or other	computing device,	seeking to access such	server data, the access is		to data on a local storage	device").		Claim 3, Col. 9, II. 37-39	(principles of claim	differentiation require	"devices," as a group,	must necessarily be	broader than	"workstations").		Col. 6, II. 31-41, 46-56	(the specification	describes "servers" as a	type of computing	device that can make	storage access requests).	Abstract Col 1 11 21.	24 II 36-37 II 53-56:	Col 2 11 4-6: Col 3 11		42, II. 55-56 Col. 6, II.	45-55; Col. 8, 11. 65-68	("devices" is used	broadly to refer to	various computing
S	Crossroads' Proposed Construction																																		
	Actual Claims Language																																		

	2	Special Master's Proposed	s Proposed Construction of Disputed Terms	erms	
Actual Claims Language	Crossroads' Proposed Construction	Crossroads' Evidence	Defendants' Proposed Construction	Defendants' Evidence	Special Master's Construction
		workstations,			
		input/output devices,			
		"initiator" and "target"			
		devices).			
		April 6, 2005 Reply to			
		Office Action at 8 10			
		12 22 Ec. Dec 150			
		12, 22, Fore Decl. ISO			
		Crossroads' Post-Hr'g			
		Cl. Const., Ex. E; July			
		22, 2005 Reply to Office			
		Action at 7-15, 21-23			
		Action at 7=13, 21=23,			
		21-29, 32, 33, 35-37, 39,			
		Fore Decl. ISO			
		Crossroads' Post-Hr'g			
		Cl. Const. Br., Ex. F			
		("Device" is used over			
		ninety times in the			
		reexamination			
		recognition bistom: to			
		prosecution mistory to			
		refer to types of devices			
		capable of making			
		requests for storage).			
		Extrinsic:			
		April 28, 2011 2d Supp.			
		Decl. of John Levy.			
		Ph.D ¶ 4 (one of			
		ordinary skill would			
		understand that in the			
		embodiments at Col. 6.			
		II. 33-41; 46-56, it is the			
		server that sends			
		requests for storage			
		access to the storage			-
		(DE I III Seiser mettion			

Case 1:10-cv-00652-SS Document 167-13 Filed 08/10/11 Page 12 of 20

	ø	C	as	e_	1:1	0-	CV	-00)6 <u></u>	52	-S	S_	D	OC	um	er	nt_	16	7 <u>-</u> _	13		Fi	lec	LO	8/1	LO/	11		Pa	ıge	13	3 of	20)	· · · · ·
	Special Master's Construction																																		
Ferms	Defendants' Evidence																																		
Construction of Disputed 1	Defendants' Proposed Construction																																		
Special Master's Proposed Construction of Disputed Terms	Crossroads' Evidence	The McGraw-Hill	Illustrated Dictionary of	Personal Computers 126	(4 th ed. 1995), Fore Decl.	ISO Crossroads, Cl.	Const. Br., Ex. W	(defining device as "a	mechanical, electrical or	electromechanical	contrivance or appliance.	Commonly used in	reference to peripherals	such as printers, CRTS	and disk drives").		Hr'g Tr. at 202:24-	203:3, 205:4-7, Mar. 8,	2011 (Defendants)	counsel agreeing that the	defining characteristic of	a device is that it is the	thing that issues storage	requests).		May 11, 2011 3d Supp.	Decl. of John Levy,	Ph.D., \(\begin{aligned} \beg	server is a server that	can request access to	storage).	Microsoft Computer	Dictionary 430 (3d Ed.	1997), May 11, 2011 3d	Supp. Decl. of John
S .	Crossroads' Proposed Construction																																		
	Actual Claims Language																																		

		Special Master's Proposed Construction of Disputed Terms	Construction of Disputed	Terms	
Actual Claims	osed	Crossroads'	Defendants' Proposed	Defendants' Evidence	Special Master's
Language	Construction	Evidence	Comstruction	Evidence	Construction
		(defining "server" as			
		"(1) on a local area			
		network (LAN), a			
		computer running			
		administrative software			
		that controls access to			
		the network and its			
		resources, such as			
		printers and disk drives,			
		and provides resources			
		to computers functioning			
,		as workstations on the			
		network").			
		Special Master's Report			
		at 22, Dot Hill			
		Litigation, Pl.'s Cl.			
		Const. Hr'g Ex. P-15			
		(Court previously			
		construed "storage			
		router" as "a data			
		transmitting device that			
		allows users to integrate			
		different servers or			
		workstations into a			
	-	storage network").			
Claim 16:					
The apparatus of claim	Device:	Device:	Device:	See '035 patent, claim 1.	No Construction
15, wherein the map					Necessary.
only exposes the device	"Computing device that	Intrinsic:	Computer.		
may access.	requests."	Claim 1, Col. 9, II. 27-30			
	4	"devices" refers to the			
		devices that make			
		requests and are allowed			
		access to storage			

	9	Special Master's Proposed	Special Master's Proposed Construction of Disputed Terms	ırms		
Actual Claims Language	Crossroads' Proposed Construction	Crossroads' Evidence	Defendants' Proposed Construction	Defendants' Evidence	Special Master's Construction	
		devices).		-		Г
						حمر
		II. 4-5; Col. 4, II. 55-56;				لــ
		Col. 8, 11. 65-68 (the				
		specification describes				ا=پ
		the devices that make				-٧-
		requests to access the				· OC
		storage devices as				٠.
		"computing devices").			-	JZ.=
		Col 1 11 57-60 ("from				<u> </u>
		the perspective of a				
		workstation, or other				ال
		computing device,				-UI
		seeking to access such				ще
		server data, the access is				
		much slower than access				
		to data on a local storage				, <u> </u>
		device").				
		Claim 3, Col. 9, II. 37-39				
		(principles of claim				
		differentiation require				LU
		"devices," as a group,	:			U/
		must necessarily be				LU/
		"workstations")				
		WOLKSTALIOUS).				_
		Col. 6, 11, 31-41, 46-56				aţ
		(the specification				,
	100	describes "servers" as a				111
		type of computing				UI.
		device that can make				20
		storage access requests).				
		Abstract Col 1 11 21-				
						\neg

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	8	Special Master's Proposed	's Proposed Construction of Disputed Terms	erms	
Actual Claims Language	Crossroads' Proposed Construction	Crossroads' Evidence	Defendants' Proposed Construction	Defendants' Evidence	Special Master's Construction
		24, 11, 36-37, 11, 53-56;			
		3-6 41-43: Col. 3, II.			
		42, II. 55-56 Col. 6, II.			
		45-55; Col. 8, II. 65-68			
		("devices" is used			
		broadly to refer to			
		various computing	e de la comp		
		devices such as			
		workstations,			
		input/output devices,			
		"initiator" and "target"			
		devices).			
		April 6, 2005 Reply to			
		Office Action at 8, 10,			
		12, 22, Fore Decl. ISO			
		Crossroads' Post-Hr'g			
		Cl. Const., Ex. E; July			
		22, 2005 Reply to Office			
		27-29, 32, 33, 35-37, 39,			
		Fore Decl. ISO			
		Crossroads' Post-Hr'g			
		Cl. Const. Br., Ex. F			
		("Device" is used over			
		ninety times in the	100 Age - 12 of 12		
		reexamination			
		prosecution history to			
		refer to types of devices			
		capable of making			
		requests for storage).			
		Extrinsic:			
		Anril 28, 2011 2d Supp.			

	S 2	Special Master's Proposed	s Proposed Construction of Disputed Terms	erms	
Actual Claims Language	Crossroads' Proposed Construction	Crossroads' Evidence	Defendants' Proposed Construction	Defendants' Evidence	Special Master's Construction
		Ph.D., ¶ 4 (one of ordinary skill would			
		understand that in the			
		embodiments at Col. 6, 11. 33-41; 46-56, it is the			
		server that sends			
		access to the storage			
		router using NLLBP).			
		The McGraw-Hill			
		Illustrated Dictionary of			
		Personal Computers 126 (4 th ed 1995) Fore Deci			
-					
		Const. Br., Ex. W			
		(defining device as "a			
		mechanical, electrical or			
		contrivance or appliance			
		Commonly used in			
		reference to peripherals			
		such as printers, CRTS			
		and disk drives").			
		Hr'g Tr. at 202:24-			
		203:3, 205:4-7, Mar. 8,			
		counsel agreeing that the			
		defining characteristic of			
		a device is that it is the			
		thing that issues storage			
		requests).			
		May 11, 2011 3d Supp.			
		Decl. of John Levy,			
		Ph.D., ¶3 (a "network			

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		Special Master's Proposed Construction of Disputed Terms	Construction of Disputed 1	erms		
Actual Claims Language	Crossroads' Proposed Construction	Crossroads' Evidence	Defendants' Proposed Construction	Defendants' Evidence	Special Master's Construction	
		server" is a server that				
		can request access to				<u> </u>
		storage).				
		Dictionary 430 (3d Ed.				<u> </u>
		1997), May 11, 2011 3d				<u></u>
		Supp. Decl. of John			-	
		Levy, Ph.D., Ex. A				
		(defining "server" as				
		"(1) on a local area				
		network (LAN), a				
		computer running				
		administrative software			***	
		that controls access to				
		the network and its				
		resources, such as				
		printers and disk drives,				
		and provides resources				
		to computers functioning				
		as workstations on the				
		network").				
		Special Master's Report				
		at 22, Dot Hill				
		Litigation, Pl.'s Cl.				
		Const. Hr'g Ex. P-15				
		(Court previously				
		construed "storage				
		router" as "a data				
		transmitting device that				.y.
		allows users to integrate				
		different servers or				
		workstations into a				<u> </u>
		storage network").				

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		Special Master's Proposed Construction of Disputed Terms	Construction of Disputed	Terms	
Actual Claims	Crossroads, Proposed	Crossroads,	Defendants' Proposed	Defendants'	Special Master's
Language	Construction	Evidence	Construction	Evidence	Construction
Claim 17:					
The apparatus of claim 14. wherein the	Configuration:	Configuration:	Configuration:	See claim I, supra.	No Construction Necessary.
supervisor unit is further	"A modifiable setting of	Intrinsic:	"Map"; otherwise		
configuration including	IIIIOIIIIAUOII.	Col. 2, Il. 19-23; Col. 5,	indefinite.		
the map, wherein the		II. 53-54; Col. 6, II. 58-			
map provides a mapping		64 (describing			
Irom a nost device ID to a virtual LUN	-	"configuration" as information used to			
representation of the		control operation of the			-
remote storage device to		storage router and which			
a physical LUN of the		is modifiable).			
remote storage device.					
		28-32. Col. 9 11 36-41			
		("configuration" can also			
		include mapping			
		Information and additional information			
		such as information			
		needed to "implement[]			
		access controls").			
		C15: 15 C51 11 11 23			
	. "	28 (the limitation			
		"operable to maintain a			
		configuration wherein			
		the configuration			
		includes a map"			
		would be meaningless			
		under Derendants			
		proposed construction).			
		Extrinsic:			
		Chaparral Markman			

				C	as	<u>e 1</u>	l:1	0-	CV [.]	-00	06	52	<u>-S</u>	S		000	cum	ner	t	167·	-13	3	Fi	lec	10	8/²	10/	<u>′11</u>	F	² a	<u>ge</u>	20	<u>) o</u>	f 2	20			7
	Special Master's	Construction											-				-			No Construction Necessary.	•																	
Terms	Defendants'	Evidence																		See '035 patent, claim I.																		
Special Master's Proposed Construction of Disputed Terms	Defendants' Proposed	Construction																		Device:	Computer.																	
pecial Master's Proposed	Crossroads,	Evidence	Order at 16, Fore Decl.	ISO Crossroads, Cl.	Const. Br., Ex. L (parties	to earlier action agreed	to construe "maintain a	configuration" to mean	"keeping a modifiable	setting of information");	February 22, 2011 Decl.	of John Levy, Ph.D., ¶46	(person of ordinary skill	would understand	"maintaining a	configuration" to mean	"keeping a modifiable	set of information").		Device:	Intrinsic:		Claim 1, Col. 9, II. 27-30	("devices" refers to the	devices that make	requests and are allowed	access to storage	devices).	0.1 1 11 36 37. 0.21 3	11 4 5 0 21 4 11 55 50.	II. 4-5; Col. 4, II. 55-56;	con 6, 11. 03-08 (ale	specification describes	lile devices that make	requests to access the	Storage devices as	computing devices).	
S	Crossroads' Proposed	Construction																		Device:	"Computing device that	issues storage access	requests."															
	Actual Claims	Language																d c	Claim 10.	The apparatus of claim 14, wherein the remote	storage device further	comprises storage space	partitioned into virtual	local storage for the	device connected to the	first transport medium.						-						